

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA

**FILED**

FEB -9 2012

RAYMOND PROCHASKA,

Petitioner,

v.

HASKELL HIGGINS, Warden,

Respondent.

WILLIAM J. MATHRIE  
Clerk, U.S. District Court  
By \_\_\_\_\_  
Deputy Clerk

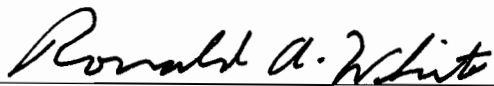
No. CIV 11-059-RAW-KEW

**OPINION AND ORDER**  
**DENYING CERTIFICATE OF APPEALABILITY**

On this date the court dismissed petitioner's petition for a writ of habeas corpus as moot. The court concludes petitioner has not shown "at least, that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether [this] court was correct in its procedural ruling." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). *See also* 28 U.S.C. § 2253(c).

**ACCORDINGLY**, petitioner is denied a certificate of appealability.

**IT IS SO ORDERED** this 9<sup>th</sup> day of February 2012.

  
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RONALD A. WHITE  
UNITED STATES DISTRICT JUDGE